



## **CITY OF SUNNYVALE ADMINISTRATIVE HEARING**

**MINUTES**  
**Wednesday, January 11, 2006**

**2005-1189 – Fair Oaks Investments** [Applicant] **Sadao and Chiyemi Masuda et al** [Owner]: Application for a Special Development Permit on a 14,210 square-foot site to allow a trash enclosure between the street and the front of the building. The property is located at **708 North Fair Oaks Avenue** (near Caliente Dr) in a C-1/PD (Neighborhood Business/Planned Development) Zoning District. (APN: 205-01-008)

In attendance: Dick Newmann and Sharon Kip, Applicant; Kevin Sakimoto, Property Manager; Andrew Miner, Administrative Hearing Officer; Jamie McLeod, Project Planner; Luis Uribe, Staff Office Assistant.

**Mr. Andrew Miner**, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Mr. Miner announced the subject application.

**Jamie McLeod**, Project Planner, stated that applicant has requested to relocate the existing trash enclosure from the current location at the northeast corner of the parking lot to the southwest corner of the lot near the street corner. The request is based on safety and hygiene concerns. According to the applicant, the current location provides an alcove which has been used as a staging area for recent robberies and has occasionally been used as a bathroom. The applicant would also like to increase the size of the enclosure as the existing enclosure does not meet the tenant's needs for the volume of trash and recycling they produce. Ms. McLeod also noted that the current trash enclosure is not large enough to meet the current usage. Staff recommends approval of the project with approval of the conditions.

Mr. Miner asked some questions regarding parking issues that were answered by the Project Planner. Ms. McLeod mentioned that the main concern is to enlarge the trash enclosure.

**Mr. Miner opened the public hearing.**

**Kevin Sakimoto**, Property Manager, received and reviewed a copy of the staff report. Mr. Sakimoto explained to the hearing officer that his main concern with the current location of the trash enclosure is the safety of the tenants due to some robberies that occurred in the past.

Mr. Miner asked if blocking off the space between the enclosure and the building structure would meet any of the applicants needs. Mr. Sakimoto stated that it would eliminate some of the issues but it would still be hard for the employees to make sure other people do not use the trash enclosure.

**Dick Newmann**, Applicant, stated that the employees do not like going to the trash enclosure at night due to past instances where a homeless person was sleeping in the

enclosure. They also want to be able to see the trash enclosure to make sure that neighboring businesses do not dump trash in their trash bins.

**Mr. Miner closed the public hearing.**

**Mr. Miner took the application under advisement til Friday, January 13, 2006.**

**Addendum**

**Mr. Miner approved the application subject to the Findings and modified Conditions of Approval provided in the staff report. The modified conditions are as follows:**

- 1. A new enclosure may be built at the current location at the north east corner of the parking lot. The enclosure may be enlarged in this location subject to review and approval of the Director of Community Development for reconfigured parking lot striping and enclosure design. If in the determination of the Director of Community Development a large trash enclosure cannot be adequately accommodated at the current location, the enclosure may be relocated to the south east corner of the parking lot, subject to review and approval of the Director of Community Development for reconfigured parking lot striping and enclosure design.**
- 2. Site shall comply will all other previous Special Development Permit approvals including but not limited to landscaping and parking lot lighting plans.**

**Mr. Miner stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.**

The meeting was adjourned at 2:25 p.m.

Minutes approved by:

**Andrew Miner, Principal Planner**